

In The United States District Court  
For The District of Delaware

Joseph LAWRENCE CURRY

PLAINTIFF

V

GREGORY HOPKINS

DEFENDANT

CIVIL ACTION No. 04-175-KAJ

FILED

MAY 31 2005

U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

"MOTION: To EXPEDITE SANCTION UNDER RULE 37d

There is A COMPLETE FAILURE BY THE DEFENDANT AND THE DEFENDANTS ATTORNEY TO ANSWER AND PRODUCE DISCOVERY TO THE PLAINTIFF. SPECIFICALLY THE INTERROGATORIES THAT WAS SUBMITTED TO THE DEFENDANTS AND THE COURTS ON 10-25-04 THE DOCKET SHEET FOR CIV FED CASE 04-175-KAJ SHOWS THAT THE INTERROGATORIES WERE PROPOUNDED. I THE PLAINTIFF HAS TRIED NUMEROUS TIMES TO RECIEVE DOCUMENTS AND THINGS SPECIFICALLY INTERROGATORIES BY ASKING A TELECONFERENCE OF 11-16-04 THEN IN WRITTING ON 11-26-04 SUBMITTED REQUEST TO RECIEVE ANSWERS TO THE DEFENDANTS AND COPY TO THE COURT. THEN I ASKED AGAIN ON MAY-05-05 WHEN I FULLY PARTICIPATED GIVING DEPOSITION FOR THE DEFENDANTS ATTORNEY THE ANSWER FROM MR GRIFFITH WAS "OH IM SORRY I THOUGHT I SENT THOSE I SEND THEM OVERNIGHT MAIL. 'THAT DID NOT HAPPEN' ON 5-17-05 HONORABLE KENT A JORDAN GAVE A DIRECT CLEAR ORDER TO THE DEFENDANTS TO ANSWER ALL INTERROGATORIES AND SEND THEM TO THE PLAINTIFF!! THAT DID NOT HAPPEN. IT NOW MAKES 7 MONTHS THAT I THE PLAINTIFF DID NOT RECIEVE DOCUMENTS THAT WERE NEEDED TO RESEARCH AND PREPAIR FOR TRIAL I HAVE EXHAUSTED ALL REMEDIES BEFORE ASKING THE COURTS TO RESPOND AND ACT ON THIS ISSUE!! I FEEL AS THOUGH NOT ONLY IS THERE CASE DAMAGE FOR TRIAL; BUT MISCONDUCT FOR INTENTIONAL WRONG DOING HIDING DISCOVERY. I JOSEPH L. CURRY THE PLAINTIFF RESPECTFULLY MOVES THE COURT TO ACT WITH NO FURTHER DELAY ~~AND~~ UNDER RULE 37d PAGE 194 OF THE CIV FED RULE OF PROCEDURE TO SANCTION THE DEFENDANTS WITH THE COURTS DISCRETION. AWARD TO THE PLAINTIFF MR JOSEPH L. CURRY

5-25-05

*Joseph L. Curry*

Certificate of Service

I, Joseph L. Curry, hereby certify that I have served a true  
and correct cop(ies) of the attached: MOTION To EXPedite SANCTION  
UNDER Rule 37d upon the following  
parties/person (s):

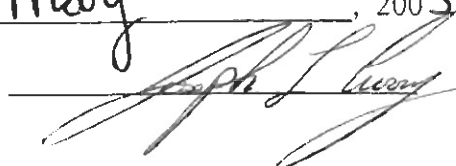
TO: DANIEL A. GRIFFITH  
1220 N. MARKET ST 5th FLOOR  
MARSHALL, DENNETT, WARNER  
COLEMAN ANG GOGGIN  
P.O. Box 8888 WILMINGTON,  
DE 19899-8888

TO: "William W. Pepper"  
Schmittinger and Rodriguez  
P.A.] 414 S. State Street  
P.O. Box 497 Dover  
Delaware 19903

TO: \_\_\_\_\_  
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TO: \_\_\_\_\_  
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BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United  
States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 26<sup>th</sup> day of May, 2005  


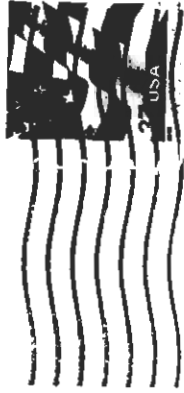
M Joseph L. Cuppy

BI# 223-705 UNIT C-11 PRETRIAL

DELAWARE CORRECTIONAL CENTER

181 PADDOCK ROAD

MYRNA, DELAWARE 19977



Mr Peter T. Dalleo

Office of The Clerk

United States District Court

844 N. King Street, Lock Box 18

Wilmington, Delaware

19801-3570

U.S.M.S.  
X-RAY

19801-3570

